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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,096	11/29/2000	Dennis L. Montgomery	42503 261928	6817

7590 04/20/2004
Pillsbury Winthrop LLP
Intellectual Property Department
1600 Tysons Boulevard
McLean, VA 22102

EXAMINER

MAHMOUDI, HASSAN

ART UNIT PAPER NUMBER

2175

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/727,096

Applicant(s)

MONTGOMERY, DENNIS L.

Examiner

Tony Mahmoudi

Art Unit

2175

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]D.P.
4/16/04

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 29 March 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: 22-28 and 30-38Claim(s) rejected: 1-21, 29 and 39-73

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

DOV POPOVIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Continuation of 5. does NOT place the application in condition for allowance because:

The applicant's arguments presented in the Response to After Final Office Action, filed on 29-march-2004 have been fully considered but are not found persuasive, and the claim limitations of the "finally rejected" claims are still met by the Johns (U.S. Patent No. 6,366,289), Simms (U.S. Patent No. 5,586,280), and Morikawa et al (U.S. Patent No. 6,043,897) references.

In response to applicant's arguments that the examiner's "interpretation of 'threads' is incorrect", and that "the examiner, instead of reading the term 'thread' as a processor operation, which was the context clearly recited, instead uses the term thread to refer to a portion of data", the arguments have been fully considered but are not deemed persuasive, because despite the amendment made to the specification, the language reciting the claim limitations of "threads" can still be interpreted as "sections", "segments", and "chunks" of data. The term "thread" used in the referenced rejected claim does not specifically limit the recited "thread" to mean a "processor operation". As mentioned above, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. Further, upon assumption that "thread" as recited in the rejected claims means a "processor operation", the arguments are still not found to be persuasive, because Johns clearly teaches "processor operations". Johns teaches performing "compression process" (see column 14, lines 24-27, and see column 17, lines 45-51) and "decompression process" (see column 11, lines 15-18, and see column 17, lines 45-51.) Johns' compression and decompression processes clearly reads on the recitation of claim 1, "operating upon each of the plurality of first threads to obtain a plurality of compressed first threads".

In response to the applicant's arguments that "Johns does not teach or suggest a 'plurality of threads' which are each operated upon", the arguments have been fully considered but they are not found to be persuasive, because Johns teaches "multi-processor systems", which reads on "a plurality of threads", if the assumption is made that a "thread" is indeed interpreted as a "processor operation" (see column 4, lines 20-30).